

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

JEFFERY L. EDWARDS

PLAINTIFF

v.

No. 4:12-cv-747-DPM

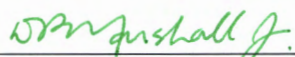
MONTY WHATLEY and
UNION PACIFIC RAILROAD

DEFENDANTS

ORDER

Unopposed motion for voluntary dismissal, No. 7, granted. Edwards's claims under Title VII and 42 U.S.C. § 1981 are dismissed without prejudice. The Court declines to exercise jurisdiction over the remaining Arkansas Civil Rights Act claims. 28 U.S.C. § 1367(c)(3). Those claims are remanded to the Circuit Court of Jefferson County. The Court remands, rather than dismissing the ACRA claims, as Defendants suggest, for two reasons. First, a remand will keep this older case in a priority position on the Circuit Court's docket. Second, requiring the plaintiff in these circumstances to use his one non-suit on the state-law claims would discourage the post-removal abandonment of secondary federal claims.

So Ordered.



D.P. Marshall Jr.
United States District Judge



28 February 2014